

A 20 - 115302 ~ 8c/K1 74

# DECLARATION AND POWER OF A ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NOVEL PROTEIN-DEAMIDATING ENZYME, GENE ENCODING THE SAME,  
PRODUCTION PROCESS THEREFOR, AND USE THEREOF**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on June 3, 1999 as United States Application Number or PCT International Application Number 09/324,910 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)		Priority Not Claimed
<u>P. Hei-10-173940</u>	<u>Japan</u>	<u>04/June/1998</u> <input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____ <input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____ <input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)

I hereby claim the benefits under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
_____	_____

I hereby claim the benefits under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____

I hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olcxy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Cubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765 and Robert M. Masters, Reg. No. 35,603; my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date <u>July 2, 1999</u>	First Inventor <u>Shotaro</u> <u>YAMAGUCHI</u>
	First Name Last Name
Residence <u>Norwich,</u>	Signature <u>Shotaro Yamaguchi</u>
<u>United Kingdom</u>	Post Office Address <u>22 Constable Road, Eaton Rise,</u>
Citizenship <u>Japan</u>	<u>Norwich NR4 6RN, United Kingdom</u>

Date <u>July 6, 1999</u>	Second Inventor <u>Akira</u> <u>MATSUURA</u>
	First Name Last Name
Residence <u>Aichi,</u>	Signature <u>Akira Matsuura</u>
<u>Japan</u>	Post Office Address <u>539-2, Matsumoto-cho, Kasugai-shi,</u>
Citizenship <u>Japan</u>	<u>Aichi, Japan</u>

# Assignment

Whereas, I/We, Shotaro YAMAGUCHI of Norwich, United Kingdom ~~and~~  
and Akira MATSUURA of Aichi, Japan

hereinafter called assignor(s), have invented certain improvements in  
NOVEL PROTEIN-DEAMIDATING ENZYME, GENE ENCODING THE SAME,  
PRODUCTION PROCESS THEREFOR, AND USE THEREOF

and executed an application for Letters Patent of the United States of America therefor on  
July 2 and 6, 1999; and

Whereas, AMANO PHARMACEUTICAL CO., LTD.  
2-7, Nishiki 1-chome, Naka-ku, Nagoya-shi, Aichi, Japan

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to  
any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its  
successors and assigns, the entire right, title and interest in the application and the invention disclosed  
therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and  
I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth  
in the application to the assignee, its successors and assigns; and I/we will execute without further  
consideration all papers deemed necessary by the assignee in connection with the United States application  
when called upon to do so by the assignee.

I/We hereby authorize and request my attorneys SUGHRUE, MION, ZINN, MACPEAK & SEAS of  
2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202 to insert here in parentheses (Application  
number 09/324,910, filed June 3, 1999) the filing date and application  
number of said application when known.

Date: July 2, 1999, s/ Shotaro Yamaguchi  
Shotaro YAMAGUCHI

Date: July 6, 1999, s/ Akira Matsuura  
Akira MATSUURA

Date: s/ \_\_\_\_\_

Date: s/ \_\_\_\_\_

Date: s/ \_\_\_\_\_

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)